

**MINUTES  
CHARLESTOWN PLANNING BOARD  
JUNE 16, 2015**

Members Present: Robert Frizzell (Chair); Sharon Francis (Vice-Chair); Steve Neill (Ex-Officio); John Bruno (late), Richard Lincourt, Rose Smith-Hull, Roger Thibodeau

Alternates Present: Doug Neill, Duane Wetherby

Staff Present: David Edkins – Planning & Zoning Administrator  
Regina Borden – Recording Secretary

**CALL TO ORDER & SEATING OF ALTERNATES:** Mr. Frizzell called the meeting to order at 7:00 PM. He noted that meetings are tape recorded and asked that anyone wishing to speak identify themselves for the record. Regular member, Mr. Bruno, was not present at the beginning of this meeting therefore Mr. Frizzell called upon alternate member, Mr. Doug Neill, to sit in his seat. Alternate members, Ms. Chaffee and Mr. Jenkins, were not in attendance.

**APPROVAL OF MINUTES OF JUNE 2, 2015:**

**Mrs. Francis moved to approve the Minutes of the June 2, 2015 meeting, as printed. Mr. Thibodeau seconded the motion. With five members in favor, the minutes were approved. Mr. Lincourt abstained from the vote as he was not present and Mr. D. Neill abstained from the vote as he was not an official member at this meeting.**

**PATRICK RUMRILL – Sign Permit – 1440 Acworth Road – Map 231, Lot 35 – Zone E (Mixed Use):** Mr. Rumrill will be making this sign. Mr. S. Neill pointed out that the front of the application shows sign dimensions as “30-feet x 30-feet” but it should read “30-inches x 30-inches” as indicated on the back page. Mr. Lincourt asked where the location of the sign will be. Mrs. Rumrill responded that it will be at the end of the driveway, by the flower bed there is a ditch line all around it, the posts and sign will be on the edge of the flower bed. It will be two-faced; perpendicular with the road. It is in line with their stone wall. Mrs. Rumrill drew the location of the sign on the Site Plan.

**Mrs. Francis moved to approve the Sign Permit for Patrick Rumrill, as submitted. Mrs. Smith-Hull seconded the motion. Mr. Lincourt requested that the map and lot number be added to the Sign Permit application; Mr. Edkins will fill that in before they sign off on the approval. With seven members in favor, the motion and amendment were approved.**

Mr. Edkins reported that there were conditions placed on the Site Plan Review for Mr. Rumrill at the last meeting. Two required some action by the applicant after the fact.

- The Building Inspector shall inspect the building for code compliance with applicable regulations for this use; that has been done and the Building Inspector has signed off on this.

- The applicant shall submit a written plan for the storage and disposal of oil, anti-freeze and other hazardous materials. This written report was submitted this evening; Mr. Edkins read the statement as follows: “Anti-freeze -Technology Systems, NH License for Removal; and Oil - five gallon cans to be taken to Bond Auto, Springfield, VT, by Patrick Rumrill.

Mrs. Francis mentioned that they also talked about the Department of Environmental Services (DES). Mr. Edkins stated that that was a condition of the approval but the Notice of Decision stated that Mr. Rumrill had to comply with these two items before the sign-off approval of the plans. His intention was to have Mr. Frizzell sign the Notice of Decision that would be mailed to Mr. Rumrill so he would know what he needed to do and then they would do a final sign-off on the actual plan itself.

*Mr. Bruno came into the meeting. He recused himself from the next Agenda item due to a conflict therefore Mr. D. Neill remained seated on the PB.*

**BRADLEY & HEATHER REGAN, JR. and CHARLES L. PEABODY REVOCABLE TRUST/BARBARA M. PEABODY REVOCABLE TRUST – Boundary Adjustment between Existing Lots – Regan Road – Map 230, Lots 3 & 4 – Zone D (Watershed Protection):** Mr. Travis Royce, Surveyor, was representing the applicants, Charles and Barbara Peabody. He explained they are rectifying a boundary issue. The dwelling owned by the Peabody’s was found to be a few feet over the property line. It is the result of a previous survey. They knew the dwelling was close to the property line and now the property is for sale. That dwelling was probably built back in the late 1990s. Regan Road is a Town road and ends at the cul-de-sac. Mr. Edkins pointed out that the original subdivision was approved in 1991. Both parties have frontage on Regan Road. Mrs. Francis felt this seems like an orderly way to solve the issue by trading spaces. Mr. Royce explained that this is an even swap in that both lots will be the same size before and after.

Mr. Edkins advised that all abutters were notified by certified mail. No one contacted him with questions or concerns and there are no abutters present at this meeting.

**Mr. S. Neill moved to accept this Boundary Adjustment for Bradley & Heather Regan, Jr. and Charles L. Peabody Revocable Trust/Barbara M. Peabody Revocable Trust as complete. Mrs. Smith-Hull seconded the motion. With seven members in favor, the motion was approved.**

Mrs. Francis asked where the well and septic system is for the Peabody house. Mr. Royce responded that the well is on the east side of the driveway; the septic system is in the lawn area to the south. Mr. Thibodeau felt that information on wells and septic systems would be good.

**Mrs. Francis moved to grant final approval to the Boundary Adjustment between Existing Lots of Bradley & Heather Regan, Jr. and Charles L. Peabody Revocable Trust/Barbara M. Peabody Revocable Trust as presented. Mr. Thibodeau seconded the motion. With seven members in favor, the motion was approved.**

**WHELEN REALTY, LLC & WHELEN ENGINEERING CO., INC. – Addition to Existing Manufacturing Facility – 182 & 99 CEDA Road – Map 106, Lots 1 & 3 – Zone F-1 (Business/Industrial):** Mr. Edkins pointed out that they briefly discussed this at the last meeting. Going down the road they might want to look at revising the zoning for this area because it has evolved into something that was not envisioned back when the zoning was put into place. Whelen basically owns all the property in CEDA Park. Some of it is owned by Whelen Realty, LLC and some is owned by Whelen Engineering Co., Inc. From the plan Whelen Engineering Co., Inc. wants to put an addition on the facility that is located on the property of Whelen Realty, LLC but it actually crosses the line onto property owned by Whelen Engineering Co., Inc. Because they are both owned by the same company, Mr. Edkins does not see a major issue but he brought the issue of the property line to the attention of Mr. Olson. Mr. Olson submitted an application for a Variance to the 40-foot set-back requirements and the Zoning Board of Adjustment (ZBA) approved that Variance. Mr. Edkins distributed copies of an Easement from Whelen Engineering Co., Inc. to Whelen Realty, LLC; it seems like a reasonable request. This Easement is for the encroachment of the addition from the Whelen Realty property onto the Whelen Engineering property. He talked to Fire Chief Baraly about the proximity of the two buildings in that corner; he has no concerns or objections to the addition. The PB has copies of the Variance approval and Easement documents.

Mr. Olson explained that little-by-little the family's goal is to put all of the buildings and properties into Whelen Realty, LLC. Mr. Edkins had asked Mr. Olson why they could not put this addition onto the other side of the building where there would not be an issue but Mr. Olson advised that the manufacturing process that takes place in that building required that it be on that end for the expansion of the sheet metal operation.

Mr. Olson wanted to personally extend his sincere appreciation to Mr. Edkins who went out of his way to work out this complicated situation for them in a timely fashion in order to put on this much needed addition on. Mr. Frizzell added that the PB is proud of him but he is over-worked.

**Mr. Thibodeau moved for completeness of this application of Whelen Realty, LLC and Whelen Engineering Co., Inc. as presented. Mr. S. Neill seconded the motion. With seven members in favor, the motion was approved.**

**Mr. S. Neill moved to approve this application as an Amendment to the previously approved Site Plan. Mrs. Smith-Hull seconded the motion. With seven members in favor, the motion was approved.**

**PLANNING & POLICY ISSUES:**

**Fee Schedule:** Mr. Edkins reported that they had discussed this in previous meetings. Mr. Thibodeau made some suggestions at the last meeting but Mr. Edkins was not comfortable increasing the fees that much. What he basically feels comfortable with is doubling the existing fees; this will go much further with covering the costs with regards to advertising, sending out certified mail, his time and the secretary's time in putting everything together, etc. He strives to maintain a "user friendly" system therefore he did not want to increase the prices so much that they would be intimidating to some applicants. This is reasonable. The last fee change was done in 2008. There is no requirement to hold a Public Hearing on this change.

**Mr. Thibodeau moved to accept this Fee Schedule as proposed by Mr. Edkins. Mr. Lincourt seconded the motion. With seven members in favor, the motion was approved.**

**Mortenson Use Change:** Mr. Edkins was contacted by Mr. Steve Mortenson who is buying the Mortenson building on the corner of Main Street and Church Street. Right now that building is listed in the records as being an office building with eight apartments. Mr. Mortenson is planning to convert it to a single family residence with seven apartments. There will not be any physical changes to the Site Plan or layout of the property. He felt this is a less intensive use but was not sure if the PB wanted them to come in for a Site Plan Review or not. Mr. Frizzell stated that the PB wants to be notified when there is more use of a property that would require a change such as parking, etc. but this is a lesser use of the property. Mr. S. Neill would like to see the record of the minutes reflect the fact that Mr. Mortenson has moved in but is still planning to do renovations. Mr. Mortenson has been told that he needs to get Building Permits for these renovations he is doing inside the house. Mr. Bruno noted that, in this case, they would have to come back to the PB if they were to re-open the office space as it is now considered abandoned with no occupancy for over a year. Mrs. Francis mentioned there is a large parking lot; she questions if it should be looked at as there is a change in use. Mr. Edkins read a portion of the regulations pertaining to what triggers this change; this does not represent an increase in intensity /parking. Mrs. Francis felt it would be appropriate for Mr. Edkins to write a letter to Mr. Mortenson to advise that a Site Plan Review is not needed but if there are any major changes let the PB know. This would be a part of the record.

**ADMINISTRATION & CORRESPONDENCE:**

**Correspondence:** Mr. Edkins had no new correspondence to bring before the PB.

**Municipal Law Lecture Series:** Mr. Edkins advised that there will be a Municipal Law Lecture Series in September or October. The nearest one will be at Antioch College in Keene. There are a couple of sessions (How to handle non-conforming uses; and How to deal with Agricultural Uses) that will be worth attending but he has not yet received the brochure. He will get it out to the PB members as soon as it is available.

**Other Business:**

**Dr. Caloras – New Building:** A PB member mentioned that the new building owned by Dr. Caloras is being leased out. Will the new tenant have to come before the PB? Mr. Edkins explained not necessarily because the PB approved the Site Plan for the building itself that was represented as being professional offices. If it were for other uses, such as a store, it would have to come before the PB.

**Unregistered Vehicles:** Responding to a question, Mr. Edkins advised that residents are allowed to have one unregistered vehicle on their property but not three.

**Enforcement Issues:**

1. North Hemlock Road: The gravel pit looks like there is a lot of material on top of the gravel that might be building materials. Mr. Neill advised that Ms. Chaffee, Code Enforcement Officer, is going to check on this.

2. Fling Road: There is so much dust on the road about 9:30 AM that visibility was a problem for the driver. The dust was near St. Pierre's pit. Mr. Edkins said the rain has helped with dust but he will contact St. Pierre's tomorrow.

**Maps:** Mr. Thibodeau pointed out that when a small business wants to put up a sign there should be a drawing that shows where the sign is and where it is located. Mr. S. Neill added that the front page should be filled out properly.

**Jiffy Mart:** Mr. S. Neill asked if Mr. Edkins did a follow-up with the Jiffy Mart. Mr. Edkins contacted them to remind them that they were to provide the report on the inspection of the drainage system annually; they have been at their new location about a year. Mr. Bruno added that the report is to include the whole system, catch basins, etc.

**Dollar General Store:** Mr. Bruno asked what they do with the Dollar General Store if they do not respond to the letters that Mr. Edkins has sent regarding the violation of their conditions. Mr. Edkins will have to send them a Notice of Violation.

**Applications:** Mrs. Francis brought up the issue of the PB getting applications that are not sufficient for the PB's consideration. She thought the applicants should receive an instruction form with simple language. Mr. Edkins explained that they have check lists and the cover page of the application form that the PB does not see with every application. If the PB does not consider an application as complete their option is to reject it. Mr. Thibodeau suggested that applications be required to come in four weeks ahead of time rather than two weeks to allow more time for review. Mr. Edkins pointed out that the State statute says at least fifteen days ahead of time. He tries to review applications with the applicant ahead of time but, at times, that is not possible.

Relative to the computer generated tax maps for Site Plans, Mr. Edkins feels they have most of the information on them that the PB is looking for. They may not be 100% accurate but they show where the buildings are, names of the streets, etc. Mr. Thibodeau mentioned that the applicant does not always draw a house, barn or shed on the map according to scale. Mr. Edkins suggested that the PB be a little more flexible with the use of the tax maps as long as they include all of the required information. Mr. Thibodeau just wants them to have all the information, it is according to scale and it has to be legible. Mr. Edkins can generate the maps with buildings, locations, driveway locations, tree lines, fences, etc. but the applicants will have to add abutters, lot dimensions. Recently he has not been using the tax maps as he felt the PB did not want them used. Mr. Bruno felt Mr. Edkins could print out two scales of the tax maps; one with a broader view that shows the abutters and the overall property. Mr. Edkins can do them on 11"x17" paper. He can also generate an aerial photo of the property. Following a discussion it was agreed that tax maps will be acceptable providing they have all the information on them.

**Historic / Heritage Commission:** Mr. Wetherby reported that they will meet next Tuesday. He will call Mr. Edkins after that meeting to let him know what their decision is. Mr. Edkins felt Mr. Nate Miller might be able to come to the July 7<sup>th</sup> meeting if their decision is favorable to participate.

**Charlestown Planning Board Minutes – June 16, 2015 – Page 6**

**Next Meeting:** The next PB meeting is scheduled for Tuesday, July 7<sup>th</sup> at 7:00 PM.

**ADJOURNMENT:**

**There being no other business, Mrs. Francis moved to adjourn this meeting. Mrs. Smith-Hull seconded the motion. With seven members in favor, the meeting was adjourned at 8:16 PM.**

Respectfully submitted,  
Regina Borden, Recording Secretary

Minutes Filed: 06-23-15

**(Note:** These are unapproved Minutes. Corrections, if necessary, will be found in the Minutes of the July 7, 2015, Planning Board meeting.)